IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.1 OF 2005

IN

WRIT PETITION NO.1942 OF 1995

1.P.G.Kushte & others. ...Petitioners.

VS.

1.Pragat Shikshan Sanstha
and others. ...Respondents

Mr.Manish Mistry i/b. Mr.M.M.Vashi, for Petitioners.

Mr.S.G.Surana, for Respondent nos. 1 to 4.

CORAM: D.K.DESHMUKH, J.

DATED: 29TH JANUARY,2007.

P.C.:

1. According to the petitioners, the respondent nos.2 to 4 who are the office bearers of respondent no.1 Trust have disobeyed the interim order dated 5.11.1995 passed in Writ petition no.1942 of 1995 by this Court. According to the averments in paragraph (4), on 1.7.2004 the respondent no.4 alongwith other persons came to the plot and started digging up the land and they had also brought fencing material at

the site. This, according to the petitioners, was in breach of the order passed by this Court. The respondent nos. 2 to 4 have filed an affidavit and they have denied that they had brought any fencing material on the site on that date and they have categorically stated that they have not carried out any construction activity in breach of the injunction order. The petitioners have not filed any rejoinder and have also not produced any material on record to show that the statements made by the respondent nos.2 to 4 are incorrect. In this view of the matter therefore, no further action can be taken. The petition is disposed of. The show cause notice is discharged.